

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 15-011
Plaintiff,)
)
v.)
) DETENTION ORDER
TOA DANH LY,)
)
Defendant.)
_____)

Offense charged: Conspiracy to Distribute and Possess with the Intent to Distribute
Controlled Substances; Distribution of Methamphetamine (6 counts); Distribution of Heroin (2
counts)

Date of Detention Hearing: January 20, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably
assure the appearance of defendant as required and the safety of other persons and the
community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant was arrested in this District following the issuance of a bench warrant in the District of Alaska pursuant to a Criminal Complaint charging the above-references offenses.

2. Defendant was born in Vietnam, coming to the United States as a young child. He is a legal permanent resident of the United States. The charged crimes are deportable offenses. Defendant's immediate family live in the United States, particularly in Seattle, although defendant does not have a permanent residence in this District.

3. Defendant's past criminal record includes absconding from supervision in the state of Wisconsin in 2009. The AUSA alleges that defendant deposited and withdrew large amounts of cash in a three month period during the time relevant to the instant investigation, and also cashed in large amounts of currency at casinos.

4. Defendant poses a risk of nonappearance due to instability of residence, lack of recent stable employment, unknown assets and the possibility of access to large amounts of case, self-disclosed gambling problems, and a lack of U.S. citizenship which would subject him to possible deportation if convicted. Defendant poses a risk of danger due to the nature of the charges and past criminal record.

5. There does not appear to be any condition or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings while addressing the danger to other persons or the community.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney

01 General for confinement in a correction facility separate, to the extent practicable, from
02 persons awaiting or serving sentences or being held in custody pending appeal;

03 2. Defendant shall be afforded reasonable opportunity for private consultation with
04 counsel;

05 3. On order of the United States or on request of an attorney for the Government, the
06 person in charge of the corrections facility in which defendant is confined shall deliver
07 the defendant to a United States Marshal for the purpose of an appearance in connection
08 with a court proceeding; and

09 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
10 for the defendant, to the United States Marshal, and to the United State Pretrial Services
11 Officer.

12 DATED this 20th day of January, 2015.

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15 Mary Alice Theiler
16 Chief United States Magistrate Judge
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